

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.4004 of 2000

Dated: 03-07-2007

Between:

Vangeti Govardhan, s/o Raja Mallaiah.

... Petitioner

and

1. The District Collector,
Hanamkonda,
Warangal District and 2 others.

... Respondents

ORDER:

This writ petition is filed seeking a *mandamus* to declare the action of respondents in showing Sy.No.716 as if it is in Sy.No.720 of Narsampet village, Warangal District in the master plan, where respondents proposed to lay 80" wide road, as arbitrary and illegal and consequently direct respondents to correctly mark the proposed 80" wide road across the land covered under Sy.No.720.

2. Petitioner states that he is the absolute owner of the land in an extent of Acs.4-05 guntas covered by Sy.Nos.716, 717, 723 and 733 of Narsampet village, Warangal District. He and his brother planned to

convert the said land into house plots and submitted a plan for approval of layout to third respondent – Regional Deputy Director of Town and Country Planning, who while tentatively approving the layout wide

No.1) 785/99/WRO/W4, 2) 787/99/WRO/W4 had indicated that there is a proposed 80” road in Sy.No.716, as second respondent had proposed to lay 80” road in Sy.No.720. The second respondent – District Panchayat Officer in the master plan had wrongly shown Sy.No.720 in the land of Sy.No.716. He further states that if second respondent lays 80” wide proposed road in Sy.No.716 under the guise of the master plan by wrongly marking Sy.No.716 as Sy.No.720, as a result of which, he will lose his land to an extent of 2000 square yards in Sy.No.716. Hence, he approached this Court and filed the present writ petition.

3. A detailed counter affidavit is filed on behalf of third respondent wherein it is clearly stated that the proposed 80’-0” feet wide ILUP road has been indicated only in Sy.No.716 along the western side boundary of the Balaji Rice Mill and accordingly the proposed 80’-0” feet road was shown in the approved comprehensive tentative lay out plan communicated to the Executive Officer, Narsampet Grama Panchayat.

4. From the above it is clear that the said road, which is proposed, will be only through Sy.No.716. But, however, as it is also stated in the counter affidavit that no proposals to lay any road are in progress, this writ petition is misconceived. However, as and when respondents issue any notification proposing to acquire the land in question, it is always open to the petitioner to question the said notification.

5. Accordingly, the writ petition is disposed of. No costs.

JUSTICE GOPALAKRISHNA TAMADA

Dt.03-07-2007
GLV